

David R. Posteraro | Partner

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VIA EMAIL AND REGULAR MAIL

May 10, 2018

Copyright Agent
Amazon.com Legal Department
P.O. Box 81226
Seattle, WA 98108
e-mail: copyright@amazon.com

Re: The NOCO® Company DMCA Takedown Notice

Dear Sir or Madam,

Please be advised that the undersigned and the law firm of Kohrman Jackson & Krantz LLP represent The NOCO® Company ("NOCO"). As you have been previously informed via emails to copyright@amazon.com, a number of individuals and/or corporations (collectively, the "Unauthorized Resellers") are using Amazon.com to violate NOCO's copyright and other intellectual property rights in a number of images, text and illustrations via unauthorized access to Amazon Standard Identification Numbers ("ASINs").

In efforts to minimize confusion, all of the information you requested in accordance with the Digital Millennium Copyright Act ("DMCA") is included below:

- The name and email addresses of the person submitting this notice, plus any additional contact details: My name and all contact information is provided above. For clarification purposes, my name is David Posteraro and my email address is drp@kjk.com.
- The rights owner's name, if the notice is submitted by an agent of the rights owner: NOCO owns the rights to the copyright and/or intellectual property of the product(s) in question.
- Identification of the intellectual property rights asserted: NOCO provided copyrighted material to Amazon in connection with the ASIN for each of its products, including product descriptions, images, and other documentation regarding the products. Indeed, all of the (i) product descriptions; (ii) text; and (iii) images associated with the ASINs for NOCO products are NOCO's copyrighted material.¹ The use of these ASINs by Unauthorized Resellers is a violation of NOCO's rights in its copyrighted materials.

¹ The copyrighted material is not registered, nor is it required to be under the DMCA.



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- Identification of the specific content on Amazon believed to be infringing, by ASIN or URL: Each of the following sellers, listed by storefront name, is infringing on the copyrighted material for each ASIN or ASINs associated with such seller.

Seller Name	Seller ID	ASIN	WEBLINK
AMS Supply Shop	A2NJ6P8L7K BTC7	B016UG6PWE	https://www.amazon.com/NOCO-GB70-UltraSafe-Lithium-Starter/dp/B016UG6PWE/ref=sr_1_8?m=A2NJ6P8L7KBTC7&s=merchant-items&ie=UTF8&qid=1525958738&sr=1-8

- Statement that the information in this notice is accurate: Under penalty of perjury, I certify that the information contained in this notice is both true and accurate.
- Statement that the submitter is authorized to act on behalf of the rights owner and has a good-faith belief that the use of the content is not authorized by the rights owner, its agent, or the law: I have the authority to act on behalf of the owner of the copyright(s) involved and am providing this notice in good faith, with the reasonable belief that rights NOCO owns are being infringed.

This letter acts as the official notification under Section 512(c) of the DMCA, and, on behalf of our client, we seek the removal of the listings by the Unauthorized Resellers for each of the ASINs listed above. We further request that you immediately give notice to the Unauthorized Resellers of this notification, inform them of their duty to remove the listings immediately, and notify them to cease any further unauthorized posting of sales on Amazon.com in the future.

Please also be advised that the law requires you, as a service provider, to disable access to the infringing materials upon receiving this notice. Under U.S. law a service provider, such as yourself, enjoys immunity from a copyright lawsuit provided that you act with deliberate speed to investigate and rectify ongoing copyright infringement. If service providers do not investigate and remove or disable the infringing material this immunity is lost. Therefore, in order for you to remain immune from a copyright infringement action you will need to investigate and ultimately remove or otherwise disable access to these ASINs by the Unauthorized Resellers and remove their postings with all due speed should the direct infringer not comply immediately.

In addition, please preserve all documents, including electronically stored information, relating to the sellers listed above, including, without limitation, all personally-identifying information pertaining to these sellers and all transaction records associated with these accounts.



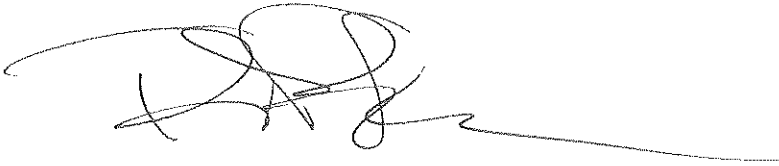
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THIS LETTER DOES NOT PURPORT TO BE A COMPLETE STATEMENT OF THE LAW, THE FACTS, OUR CLIENT'S RIGHTS OR POTENTIAL CLAIMS AND IS WITHOUT PREJUDICE TO ITS LEGAL AND EQUITABLE RIGHTS, ALL OF WHICH ARE EXPRESSLY RESERVED.

If there are any further questions regarding this urgent matter, I am reachable as noted above.

Sincerely,



David R. Posteraro

CC: Jonathan Nook
Jon J. Pinney, Esq.